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COPY

August 16, 1999

AUG 18 1999
SAN DIEGO
COUNTY GRAND JURY

Honorable Wayne L. Peterson
Presiding Judge
San Diego County Superior Court
220 West Broadway
San Diego, Calif. 92101

RE: RESPONSE TO 1998/99 GRAND JURY REPORT-CHILD SUPPORT ENFORCEMENT

Dear Judge Peterson,

On May 18, 1999, my office received a copy of the "San Diego County Grand Jury 1998-99 Report: Court-Ordered Child Support". As required by Penal Code Section 933 (c), the following is my response to both the content of the report, and recommendations made by the grand jury as they apply to child support enforcement.

With respect to the "Facts", "Findings" and "Conclusion" sections of the report, there are several material inaccuracies worth noting:

"In 1992, San Diego County, along with five other California counties contracted with and worked with Lockheed Martin/IMS to develop software which would satisfy the SACSS federal mandate." This statement is not correct. In 1992, San Diego County contracted with Digital Equipment Corporation (DEC) to implement an automated child support system which would provide interim automation while waiting for the State to deliver SACSS. The 1400 technical problems and \$300 million cost identified in the report are associated with the State SACSS project, not the automation project in San Diego.

"At the current time, federal grants equivalent to 14 percent of collections, cover the cost of operating FSD." Child support enforcement has two funding components. Two-thirds of the costs are covered directly by the federal government with what is called "federal financial participation". A combination of federal and state incentives cover the balance of the costs. Incentives are currently calculated as 13.6% of collections.

"San Diego County is not in compliance with SACSS". As noted above, SACSS was a State project, which failed at the State level. There is no "SACSS" to be in or out of compliance with. The decision to pass federal penalties down to the counties will be made by the State

legislature. As the County had no role in the State failure, the burden at the local level is not a burden placed on the County by the Bureau of Child Support Enforcement.

"The volume of complaints testifies to the fact that FSD staff is not effective in dealing with parents". Although the grand jury would not disclose the number of complaints they had received, BCSE staff receive approximately 180 complaints per month. At about 2100 complaints per year, this equates to 1% of the total caseload. Given that child support is a volatile subject at best, a complaint level of 1% does not indicate that overall, staff are not effective in dealing with parents.

"One possible motive for FSD's zeal in raising child support collections to \$102.2 million in fiscal year 1998 is the existence of federal grants predicated on the amount collected."

The mission of the Bureau of Child Support Enforcement is to collect child support.

Although incentives, which are used exclusively to fund child support operations, are based on collections, to infer that program funding drives performance is absurd.

Response to Recommendations:

99-87: *"Stress to staff the importance of being sensitive to parent problems and the need to make prompt corrections of FSD errors".*

Response: All new staff receive in-house training in which both the need for sensitivity and effective customer service are stressed. Additionally, all staff attends a mandatory customer service workshop once per quarter.

99-88: *"Randomly record and review FSD telephone calls to encourage all parties to be polite".*

Response: We currently have in place hardware that allows supervisors to monitor incoming telephone calls to our system in an effort to spot potential customer service problems. We currently do not have the technology necessary to record calls, but will investigate the possibility of acquiring more sophisticated phone recording hardware.

99-89: *"Assign ombudsmen to represent parents who need assistance but are not sophisticated enough to understand the process and do not chose to engage a private attorney".*

Response: The District Attorney represents the public interest and as such, is legally prohibited from representing either parent in matters relating to child support. The Family Law Facilitator, however, is charged with providing advice to parents who need help specific to a child support action.

99-90: *"Monitor and stock daily the myriad of display rack supplies and postings at the FSD offices".*

Response: This is currently done on a daily basis.

99-91: *"Discuss with parents the availability of free legal advice".*

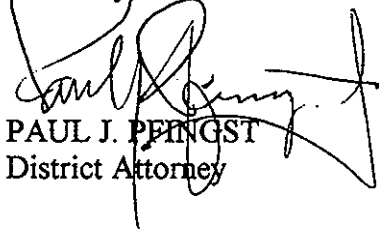
Response: We currently refer parents to the Family Law Facilitator – whose services include the dispensing of information to unrepresented litigants in family law matters. Printed literature about this service is available in our reception centers.

99-92: *"Print and distribute literature, which explains in simplistic, layman's language, the workings of FSD."*

Response: We are working to complete a new Bureau of Child Support Enforcement web page which will include, in layman's terms, complete descriptions of all child support processes. We expect this web page to be completed and operational within the next nine months.

If you need any additional information, please do not hesitate to contact me at 531-3522.

Sincerely,



PAUL J. PEINGST
District Attorney

cc: Board of Supervisors